

SIKKIM



GOVERNMENT

GAZETTE

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**GOVERNMENT OF SIKKIM
FINANCE, REVENUE AND EXPENDITURE DEPARTMENT
COMMERCIAL TAXES DIVISION
GANGTOK**

No. 26/2018- State Tax (Rate)

Dated 31st December, 2018

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 11 of the Sikkim Goods and Services Tax Act, 2017 (9 of 2017), the State Government, on being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council, hereby exempts the intra-State supply of gold falling in heading 7108 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), when supplied by Nominated Agency under the scheme for "Export Against Supply by Nominated Agency" as referred to in paragraph 4.41 of the Foreign Trade Policy, read with relevant provisions of Chapter 4 of Handbook of Procedures, to a registered person (herein referred to as "recipient"), from the whole of the state tax leviable thereon, under section 9 of the Sikkim Goods and Services Tax Act, 2017, subject to following conditions, namely:-

- (i) the Nominated Agency and the recipient shall follow the conditions and subject observe the procedures as prescribed in the Foreign Trade Policy read with Handbook of Procedures, Volume-I.
- (ii) the recipient shall export the jewellery made out of such gold within a period of 90 (ninety) days from the date of supply of gold to such recipient and shall provide copy of shipping bill or bill of export containing details of Goods and Services Tax Identification Number (GSTIN) along with the invoice for exports to the Nominated Agency within a period of 120 (one hundred and twenty) days from the date of supply by the Nominated Agency
- (iii) wherever such proof of export is not produced within the period mentioned in clause (ii), the Nominated Agency shall pay the amount of State Tax payable on the quantity of gold not exported, along with interest from the date when tax on such supply was payable, but for the exemption.

Explanation. -for the purpose of this notification,-

- (a) "Foreign Trade Policy " means the Foreign Trade Policy, 2015-2020, notified by Government of India in the Ministry of Commerce and Industry published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-Section (ii) *vide* notification No.1/2015-2020, dated 1st April, 2015.

- (b) "Handbook of Procedures, Volume-1" means the Handbook of Procedure, Volume-1, notified by Government of India in the Ministry of Commerce and Industry published in the Gazette of India, Extraordinary, Part-I, Section 1, vide Public Notice No.1/2015-2020, dated 1st April, 2015.
 - (c) "Nominated Agency" means entities mentioned in List 32 of Notification No. 50/2017-Customs dated 30th June 2017;
 - (d) "Heading" means heading as specified in the First Schedule to the Customs Tariff Act, 1975 (51 of 1975).
2. This notification shall come into force on the 1st January, 2019.

Dipa Basnet
Secretary
Commercial Taxes Division
Finance, Revenue & Expenditure Deptt.
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